

Silver Spring Urban District Advisory Committee Meeting
Summary
June 19, 2008

Members Present: Jon Lourie, Nancy Schwiesow, Barbara Henry, Bob Middleton
Mary Pat Spon Carmen Camacho and Pete Esker

Guest: Steve Nash, Rick Siebert, Jane Redicker, Jose Dominguez, Neal Blake, Eric Burnett, Jennifer Nettles, Lorraine Persall, Jennifer Desco, Darian Unger, Michael Eastwood, Steve Dngler and Yuri Van Mierlo

Staff: Gary Stith, Vicki Lockerman and Jerry Sanford

Welcome/Introduction – Barbara Henry called the meeting to order at 3:30 p.m.

Approval of Minutes The May15, 2008 minutes were approved.

Chairs Report

Barbara Henry reported that:

SILVERDOCS – June 16-23, Spike Lee is appearing this evening.

Police Update

Lt. Eric Burnett reported that:

- June 1 a shooting occurred at the Caribbean Club near the Metro and we have met with the owner. We have had problems not in the club but in the parking lots after the club lets out and the Detectives are doing follow-up on the incident.
- There have been a number of street robberies and it seems like an opportunist type thing where kids walking with iPods are being approached by five or six guys and they are taking their iPods and cell phones. They are becoming more violent and beating the people up and this primarily is kids on kids. It is happening everywhere and we have made some arrest. Our Police Community Action Team will be in Silver Spring June10 through the end of July.
- Increase in theft from cars in our County garages in Silver Spring and Bethesda. Sgt. Sheelor, arrested four individuals and through this we will probably close sixty to eighty theft from auto cases from these arrest. We continue to have problems with items being taken from vehicles.
- Burglaries are down and we have made some arrest and Silver Spring is still a safe place to live and work.
- There was an incident at Gap Buster on Georgia Avenue two weeks ago. The window to the Karate shop was broken. I have spoken to Doctor Butler and she assures me that there will be no parties of this type and if they do it will only be members of Gap Buster with additional parent supervision and if they are having more than 100 people they will hire off-duty police while the event is going on and to be available after the event.

- There is legislation that will probably be in effect within the next year for us to monitor parties more strictly, have promoters put up a bond of about 10 to 15 thousands dollars to make sure nothing happens and if it does the bond pays for repairs.

Library Update

Gary Stith reported that:

- The first step in moving forward on the new library is to review and update the Program of Requirements for the library (POR). People are concerned that the library is not large enough and does not have room for all the services people in the community want. We are going through a process of meetings with the community to receive input, update and develop the (POR) which was done seven years ago and revised in 2005. We took the bookmobile piece out and relocate it in another location. We have had growth in the community and the kinds of programs the community now wants in the library. We will keep you informed about this so this Committee can participate and make sure that a broad base of the community can be involved in these discussions. We want the (POR) updated before we move into the design charrette for the site plan.
- Council asked for several options developed for the site plan. Frankly there are a lot of pieces people are trying to squeeze into the site and we need to look at that and see how much can fit and where. There is housing and the County Executive would like for it to be a significant amount of affordable housing he is looking at 30% workforce housing, 30% MPDU's and 40% market rate. There will not be any subsidize housing. There is also talk of having an arts entity involved and we have been talking to Pyramid Atlantic, having some retail to help activate the street and connect the core of downtown with Fenton Village area and of course the Purple Line. One of the alignment for the Purple Line that is at-grade transitions from Bonifant to Wayne through this site and they are discussing having a station in that site so there is an east downtown station.
- It will be tricky to get all those pieces in there and we need to look at this carefully to make sure we have the right priorities in terms of those pieces, how big those pieces are and how they fit together. The County Executive has concern over timing on the project and the impact the design would have on that because if you do the project so that the library which is the public part and the private part which is housing are done together Park and Planning is saying that it will all have to go through optional method and this would slow things down considerably. If you do the two pieces integrated they would have to go through the RFP process and select a developer, which would complicate the design of the facility, the developer has to get his financing and if the market is not right for the residential to move forward this could slow things down. If you integrate the housing drives the schedule for the library and people in the community are concerned about the library being delayed any further and these are the issues that need to be looked at once we do this process. Once we do the design charrette which will involve a lot of community involvement than an option will be selected to move forward in development of the site and we will hire an architect to design the library and keep this project moving.

Discussion:

Barbara Henry asked that Gary Stith, assure that the businesses community has a voice in this.

Gary Stith responded that the businesses community will be invited and look into the Chamber for help in getting the word out to the businesses community and anyone else working with the businesses community and it is important to have them involved.

Nancy Schwiesow asked concerning community input have they talked about maybe a couple of the media specialist from local schools giving input into what they see the needs have been in the schools.

Gary Stith responded he had not heard of that being mentioned but would pass the information along.

Mary Pat Spon stated that the Citizens Advisory Board has made this issue its top priority for the coming year and one of the things we are attempting to do through the CAB is try to bring all the various groups together to have public hearing, focus groups whatever you want to call them to get as much community input into the library as possible. We want to work very close with this Committee as well. Some of the conversations I have had with a couple of people on the County Council and they have indicated to me that they are very concerned that the footprint itself is not going to be large enough to provide the library services that this community is going to need since this has been a ten year process when we started talking about 42,000 square feet that is not going to be near enough space. I am curious as to whether or not there are some Plan B and Plan C as to the footprint for a decent library that will serve this community.

Jon Lourie stated the purpose of the design charrette is to study the site and see how the different elements can fit on the site but most important and before that occurs there needs to be re-confirmation of the (POR) for building. I attended the last two CAB meetings and the Neighborhoods Committee meeting. There are the Friends of the Silver Spring Library and the Silver Spring Library Advisory Committee that advises the Department of Libraries on issues concerning the Silver Spring Library. The third groups is sort of an ad-hoc group composed of the other two groups which is called the Community for a New Silver Spring Library and have been meeting frequently and have prepared a position paper which is in your packet on page 26. There is a problem here in balancing and giving the right solution for the site as well as doing it in a timely manner. This project has been delayed entirely too long and unfortunately a lot of that is based on the fact that it is a mix-use development project and a lot of time and effort has been put into the acquisition aspects of this project.

The Community for the New Silver Spring Library has done a thorough review, followed the issue and making program recommendations. My concern is that we have appropriate community interaction between County Government and Silver Spring business and residential community. I was concerned that the County Executive made the proposal for the stand-alone building and don't know recall this group being briefed on this before a proposal came out and don't know if the CAB was briefed either. There needs to be better interaction with the community and I am also concerned about the Department of Libraries because from our discussion especially this past week with the Neighborhoods Committee that this Committee for the New Silver Spring Library their feelings is that there has not been responsiveness from the Department Libraries in terms of the concerns for the size of the new Silver Spring Library.

I would like to propose a more formal relationship with the Citizens Advisory Board, Urban District Advisory Committee, the Community for the New Silver Spring Library, Chamber, etc.,

as well as the County Government in establishing a Library Steering Committee with stakeholders. Pyramid Atlantic is going to be part of the project and should be at the table and there are numerous issues that need to be flushed out not the least of which is the (POR), are they going to be public meetings, how are we going to get the appropriate input, what is the manner that this is going to be held, how is it going to be advertised and this is just one of many issues. The Purple Line, what are the exact requirements if it is a station at that site what is going to be required there are numerous issues that we can not cover in a monthly meeting by this Committee and the CAB. I recommend that this Committee write a letter to the County Executive asking him to establish a Library Steering Committee that would be composed of Silver Spring residential, businesses community and County Government Officials to evaluate and recommend resolutions to issues concerning development of the new Silver Spring Library, the site and that representation should be from our committee, Silver Spring Advisory Board, Chamber of Commerce, Department of Libraries, Department of Public Works and Transportation and Pyramid Atlantic. For the Purple Line we need to invite MTA. I would make a motion for the UDAC to make such a recommendation to the County Executive. This Committee would be short lived and short in duration basically just following the library project and given the fast pace this project needs to undertake and numerous issues that need to be addressed.

Pete Esker stated that this Committee needs to be time limited, single issue and very focused.

Mary Pat Spon stated that this is more of a particular process appropriate to keep this on the fast track and to move it and we can not have these kinds of discussions at this Committee or CAB because we have other agenda items that are our charge. To bring all those groups together and the fact that we have five different entities so far that are all affecting whether, how and when the library is going to be built is huge and I know that from the CAB we are very focused on moving this forward on a faster track than it has been.

Pete Esker stated the best thing that will come out of this is all the entities talking together.

Motion: (Lourie, Spon) the Silver Spring Urban District Advisory Committee voted unanimously to send a letter to the County Executive recommending the establishment of a Library Steering Committee. *(See informational material for finalized letter)*

Ripley Project

Michael Eastwood and Steve Dngler reported the following:

- We are here today to talk about the Midtown Silver Spring project on the north side of Ripley Street and the park is located across Dixon Avenue from the building itself. At your last meeting Don Hague and artist William Cochran attend your May meeting. The project has been developed in conjunction over the last three years with the Arts panel and a couple of weeks ago it was approved by Arts Panel. We are going through the process of getting a site plan approved and Park and Planning has raised some design concerns about the park which are primarily they would like to see a more active use. Home Properties recently purchased this land and early on when they evaluated this park for how to be programmed it is a very small area about the size of a tennis court that includes the alley way to the east and does not seem like an appropriate amount of space to have an active recreation use and there are safety concerns when it comes to pedestrian and it is very small. What seemed more appropriate was a more passive place for people to gather sit quietly and the vision has been make this a

beautiful space and incorporate some significant and important public art and commemorate someone of importance to Silver Spring and the idea settled upon was commemorating Rachel Carson.

- When we started designing this we saw this as a passive recreation spot both for the people living in the building and everything else happening on Ripley Street there is going to be a need for outdoor space for people plus with its proximity to the transit center and we have another small park area out on the west edge that would provide sort of passive stopping points for people who are walking to and from the transit center. As we collaborated with the artist on putting together this tribute to Rachel Carson there are a lot of ideas floating around to make it educational teaching people about her life and work and using native plantings and sustainable planting and try to create it as a sustainable place and we feel an overall passive nature makes it much easier. The images are different from what was presented last month because we beefed up the model.

Discussion

Mary Pat Spon asked if they had given any thought in engaging the Rachel Carson Elementary School to help with the building of the educational information because they have done a lot of work at that school and they are in Gaithersburg but have done a lot work on Rachel Carson and her legacy and it would seem to me contacting the principal and discussing how to engage the children in building this educational facility piece would be useful.

Nancy Schwiesow asked whose idea was the recreation park.

Gary Stith responded he met with a Reviewer from Park and Planning on the project and wanted to discuss with me about the Urban District managing an active use of the space and I responded that we did not have the staff to that and it did not make sense to have an active use on that site.

Jon Lourie stated the presentation last month was impressive and the artist gave a very good presentation was good but I think it needs to be simplified some. How big is the space?

Gary Stith responded that it is only 8,000 square feet.

Motion: (Lourie, Middleton) the Silver Spring Urban District Advisory Committee voted unanimously to send a letter to the Montgomery County Planning Board strongly supporting the design as proposed by Home Properties. (*See informational material for finalized letter*)

Urban District

Jerry Sanford reported that:

- The South Silver Spring Neighborhood Association Block Party and Acorn Market was a tremendous success and we had a much larger crowd than last year. The two organizations worked really hard to make it a success.
- We ordered some recycling container to install in downtown Silver Spring, we had some complications with the company that fabricated them and hope by the end of this summer we will have the recycling containers to go along with the trash containers we have now throughout the downtown. We will slowly hit some of the key areas where we have a lot of traffic and recycle. The Urban District will be responsible for the recycling containers.

- Adding more bike racks to our streetscape because it is more and more apparent that with the price of gas everyone is trying to find alternative means of transportation and you see people have their bike racks tied to trees and parking meters. We are in the process of identifying some locations throughout the downtown to install some bike racks so if you have ideas please e-mail me those locations. We have bike racks in Silver Spring but we need more.

Director Reports

Gary Stith reported that:

- The County Executive sent a request for a Supplemental Appropriation for two Capital Projects that are critical to Silver Spring and one is the Transit Center, we got the bids in and have known for about a year and informed County Council that we knew this project was going to be over budget and they valued engineered it as much as they can and did not want to go and ask for supplemental appropriation until they knew exactly how much and you can not do that until you receive the bids. The bids are in and been reviewed and they are asking Council for \$16,720,000 more on the transit center project. This is critical for the future of downtown Silver Spring by expanding capacity for transit services and modernizing and updating the transit center. This project is slated for construction and they were talking about us initiating the interim operating site which gets the buses off of the site and onto the street on Sunday, September 7 and construction start immediately after that. The contractor selected is Foulger Pratt Construction.
- The other project is the Civic Building and we received the bids and the contractor selected is Forrester Constructions and based on those bids and we reviewed them thoroughly we are going to ask County Council for an additional \$2,500,000 more for the Civic Building and we attribute that to the delay it has taken for about a year. We are looking to have a party on the turf on July 25 called sign of the time and we are going to unveil the project sign and I have asked that the County Executive set-up a groundbreaking event and suggested Monday, July 28 and construction start immediately after that. This is a real project and will happen this year but it is important that County Council approve these Supplemental Appropriations for both projects. The committee might want to send a letter to Council stating that both these project are important. We tried to keep this as reasonable as we could and there were add alternates and deduct alternates in the bidding process the \$2.5 million that we are asking for does not accept any of the deduct or add alternates the project will be built as bid.

Discussion

Barbara Henry suggested that the Silver Spring Urban District Advisory Committee send a strong letter indicating that we have know intention of seeing this building compromised in any way, shape or form.

Gary Stith stated that there is a hearing before County Council on July 15.

Pete Esker stated the original cost discussed was in the \$40 million dollar range and it has come down to a realistic figure and when I heard 21.5 million I was impressed with that if they maintain the integrity of the design.

Jon Lourie stated he was concerned given the County's tight budget that the \$2.5 million could be a potentially a hot issue with sort of revisiting the rink, green space and all the decisions that had been made to have those re-opened again.

Gary Stith responded that if all those design issues get re-opened then this bid will not be good and basically like starting all over again because we would have to redesign it, go back to the Planning Board because it is optional method development. The rink cost is 4 million dollars.

Barbara Henry stated that this group needs to send a letter, someone goes and testified but the letter needs to be strong enough to indicate our expectation is that this will not change in any way, shape or form.

Pete Esker stated he agreed with all that has been said but thought that perhaps Ms. Madden or someone familiar with legislative side of the Government keep us informed because this could be a pro-forma deal that does not require a lot of attention or it would need us to marshal the troops and we may not know this until a day or two in advance but this does not stop at a letter.

Jon Lourie asked if Council had been briefed on this and what was their response?

Gary Stith responded that individual members of Council have been briefed but we have not gone to Council as a whole. We talked to Councilmember's Valerie Ervin, Nancy Floreen, Mike Knapp and I think Marc Elrich. Councilmember Ervin and I have a meeting tomorrow and I will ask her if she has any concerns.

Barbara Henry stated that all you need is five votes from Council. The Transit Center money is not \$16 million dollars to Silver Spring its 16 million to the transit center which is the most heavily used transit station in the State. We should not package the Transit Center and the Civic Building together.

Barbara Henry stated that this Committee needs to write a letter and be prepared to testify.

Motion: The Silver Spring Urban District voted and unanimously agreed to write a letter urging Montgomery County Council to approve the supplemental appropriation of \$2.5 million for the Silver Spring Civic Building and Veterans Plaza (*see informational material for finalized letter.*)

Gary Stith stated that there is a Zoning Text Amendment (ZTA) and Subdivision Regulation Amendment (SRA) and we are packaging these as the Amenity Banking Program and this is a series of changes to the Zoning and Subdivision Regulations as incentives that encourage developers to provide us with arts and entertainment uses as a method of meeting their amenity and public use space requirements in advance of developing their project. Some of the incentives are it give them longer and/or the option to get a longer commitment the facilities requirement of 10 years but under certain circumstances they can get a 5 year extension. If it is conveyed to the County and they accept it, is in the Arts and Entertainment District and in a CBD Zone all those qualifier have to apply to it. If the County accepts and it is an arts and entertainment use that is of a size that would be comparable to their 20% public use space requirement then it meets their public use space and amenity requirements except for streetscape improvements. The reason they are given these incentive is because they are providing the amenity upfront ahead of their project. We are allowing this to apply in CBD 1, CBD 2 and CBD 3 zones but I don't see a broad application for it because this is something the County has to be willing to accept. There is a part in there that states if there is a hiker, biker trail proposed in the Master Plan and there is a Crime Prevention through Environmental Design review which is a process the Police are trained in to review projects to make sure there are not any design factors that create the potential for crime. If

the analysis finds this pedestrian pathway through the middle of the block is unsafe then it could be taken out.

Discussion:

Jon Lourie asked if the advance or dedication of land is within the site or the conveyance to another site.

Gary Stith responded it does not say it has to be on the same site but it has to be in conjunction with a bigger project.

Barbara Henry asked if it had to be within the same CBD because she did not want Wheaton getting our amenity and us getting theirs so perhaps we need clarification on that.

Gary Stith stated that it does not state that but we have been assuming that but I will raise the issue. It has to be a part of the same project plan and community support would be helpful.

Mary Pat Spon asked if any of this is focusing on trying to eliminate the pocket parks

Gary Stith responded that in lieu of a pocket park it would provide an arts and entertainment use that is part of the project plan.

Jon Lourie stated he would be in favor of it being transferable to another project and this would be even better like this property on Bonifant Street where they set it back.

Gary Stith responded that is actually public use space and the ordinance was already adopted. The one that allows them to pay a fee into fund was done earlier in the year. Originally that ZTA included some arts related things and it did not deal with it adequately so we pulled all that stuff out of that earlier ZTA. This has been sent to Council and they are suppose to have a hearing on this before they go on recess but may not take action on it until after recess in August.

Motion: The Silver Spring Urban District Advisory Board voted and unanimously agreed to write a support letter for the Zoning Text Amendment (ZTA) and Subdivision Regulation Amendment.

Marketing & Special Events

Barbara Henry stated that the Marketing & Special Events report is in the packet and the thing to note is the talent for the 2008 Silver Spring Jazz Festival and the headliner is Charlie Mingus Big Band.

Silver Place

Dan Hertz, Project Manager, Park and Planning gave a PowerPoint presentation as follows:

- A year ago we issued an RFP to get a private partner to help redevelop this site with the idea of entering into this partnership to off-set the cost. We currently have people working in four locations around the County and we want to bring everybody together in one new office building.
- We want a design to serve as a center for creative planning, park development and environmental stewardship, Silver Place will feature a new consolidated headquarters for the staff of the Maryland-National Capital Park and Planning Commission (M-NCPPC) in Montgomery County.

- As a model of design excellence featuring a mix of uses, Silver Place also will provide outstanding public spaces, housing, and environmentally sensitive design in the Silver Spring Central Business District.
- The proposed design for the 3.24-acre site includes a 135,500 square foot Montgomery regional headquarters, approximately 305 housing units with underground parking, and a village green that will retain existing mature oak trees.
- The charrette team -- Torti Gallas and Partners, Smith Group and Michael Vergason Landscape Architects --will work through the summer to add definition and technical detail to the plan that emerged from the charrette process.
- Consolidate the park and planning agency to serve the public more efficiently
 - * Create a mixed-use development compatible with the adjacent neighborhoods that serves as a model of design excellence and best development practices
 - * Provide housing to serve a range of incomes including a minimum of 30 percent affordable and median-income housing
 - * Create outstanding indoor and outdoor public spaces for the public
 - * Establish a project that meets or exceeds the Leadership in Energy and Environmental Design (LEED) standards for Gold Certification
 - * Ensure wise transportation management, safe pedestrian circulation, and adequate parking
 - * Reduce public costs for the new Montgomery Regional Headquarters by leveraging the value of the Commission's land through the use of a public/private/partnership
- More than 100 people participated in the design workshops and meetings held by M-NCPPC and SilverPlace LLC collaborating with the charrette team in designing a plan that met the goals and objectives set forth. Torti Gallas, Smith Group and Michael Vergason will now work through the summer to add definition and technical detail to the plan that emerged. As things progress, we will keep you informed and you can visit our website www.SilverPlaceWorkshop.com.

Discussion

- Barbara Henry stated that the concern of the process for this charrette was that opinion particularly the business community what sort of shorted because they were not available to attend because the charrette happened during the work day. The opinion around the group particularly around retail was heavily influence by those people that had the latitude to come during the middle of the day and were not reflective of the business community at all.
- Carmen Camacho who represents the Silver Spring Chamber of Commerce stated that they went and were told that the meeting was starting at 11:00 on a Thursday and we went and were told no the meeting was going to start at Noon so the people that were there at 11:00 a.m. could not go back and I think we ended up having one person from the Chamber show-up and the business community just were not able to attend so we had very little input in the process.
- Jon Lourie asked was not putting Trader Joe's in this development negative in terms of the cost of the project.
- Dan Hertz responded no. They were very concerned about traffic and the developers are somewhat concerned about having enough space to rent it out. Having a small stand-alone retail space is not economically viable.

- Jon Lourie asked how many parking spaces are going to be provided for the residential units.
- Dan Hertz stated it would be one for one and the number of units is 305 but we are still programming.
- Barbara Henry stated there are 305 residential units and no retail in it at all and I recommend that somebody go back and revisit this. Before this charrette was done one gentlemen from Park and Planning came to the Chamber meeting where we expressed our concern about making sure the business views were reflected and we were assured that this would happen and what I am hearing is that it did not happen at all. I believe if the business community had an opportunity to sit down with the developer one of two things would happen either business community would at least be able to make its point with the developer and maybe the developer would have a different position or the developer would be able to express to the business community legitimate business and economic reasons why retail would not be viable in that space but one of those two things really needs to happen. I think the business community is greatly disappointed about not having the ability to express their opinions on this project.
- Jane Redicker stated that her understanding from the developers was that they need additional residential in order to support the retail.
- Jon Lourie stated that there is a letter in the packet from Art Holmes, DPWT. There was a design competition for the site and when it was done that 60 foot piece of property was part of the design. It sounds like the large site would allow you not to sacrifice the residential and have retail on site.
- Dan Hertz responded not necessarily, the RFP and the response that we were working with used more than the 60 foot strip of land using property right in front of Garage 2 and Spring Street. When driving on Spring Street you notice the garage is set-back from Spring Street and our office building occupied that part which is zoned CBD 2, and gave us a 140 foot tower so when the Parking district took that section of property off the table it became more damaging to our density.
- Jon Lourie stated that retail is an issue and I don't know how Spring Street will evolve in those two blocks with United Therapeutic building the second phase of their three phases and they organized retail in the first floor of their building as well as having some sort of food provider directly adjacent to the garage.
- I attended the evening presentation of the Silver Place charrette and I was not aware that the retail was open for discussion at the beginning of the charrette and it was presented sort of as not being part of it. Another concern is the slither of property directly adjacent to the parking lot and I am reading the letter from Art Holmes, Director, DPWT is not correct and states “ *During discussion among staff on Tuesday, May 27, 200, it was indicated that M-NCCPC as a policy matter to promote increased usage of mass transportation, does not want to commit to provide parking either for M-NCCPC's new headquarters in Silver Spring or in connection with the residential market rate dwelling units.*” which is not true because you are providing parking and as part of the design you have at least one floor of parking and the option for parking your headquarters at the basement level. The letter also states “*Additionally it seems, that the decrease in housing units from approximately 350 to perhaps approximately 200 dwelling units, the County land is no longer needed to provide density for housing*” when in fact you are providing

305 units and not 200 and it seem to me that piece of land had an adverse affect on the retail.

- Nancy Schwiesow stated for her experience of 25 years in this community as a community resident and activist and my business being here as a Realtor is the people in the townhouses, Twin Towers it will help reduce the traffic because they will be walking and using the retail. I live behind Mrs. Kay's Toll House and I can not tell you how many of my neighbors walk to Whole Foods versus driving cars. People moving in downtown Silver Spring want to walk to things and not use their cars and sort of retail there would be an incredible boost.
- Rick Siebert stated the information based entirely on information provided to DPWT by Park and Planning. I would also like to correct the fact that there is a discussion of a \$3 million dollar cost of selling the PLD property to Park and Planning that was based on a series of appraisals and negotiation.
- Jon Lourie stated it seems we are saving the surface lot of sixty car space and the garage is currently half empty and not being utilized at all. Where are the studies for the future utilization of this lot particular in light of an apartment building being developed they are providing parking, the Hi-rise that is under construction now are they providing no parking on site.
- Rick Siebert responded that they are providing some and did not have the numbers available but it is less than the code required parking. We have to remember United Therapeutics is planning Phase 3 and based on what they have told us they are building between the St. Charles redevelopment and redevelopment of United Therapeutics property the parking study we have shows that garage will be near capacity. Garage 21 at the corner of Spring Street and Colesville you can look at as a pressure release as United Therapeutics Phase 2 currently under construction and the redevelopment of the old Jemal Building which is slated to become both a Hotel and condominiums and is building no parking so the expectation of our study from all of the redevelopment is that both Garage 21 and Garage 2 will be at near capacity without regard to the Silver Place development. The PLD will be in a position of not knowing where more resources are coming from.
- Jon Lourie asked if the negotiation was \$3 million for the purchasing of that land. It was up to the development of Park and Planning joint venture that the \$3 million was considered to be too much.
- Dan Hertz stated that they did negotiate that price and we had to agree on what was the per foot price.
- Jon Lourie stated you were in negotiation to purchase this land so what happened and why was it not purchased and taken off the table
- Dan Hertz responded the PLD wanted to hold some access point over it and we found the land kept getting smaller and smaller and less useful. The PLD staff and we sat down and decided that it does not add enough for the value. It would be too expensive for the amount of density it would bring us and not be economical.
- Jon Lourie stated than it was not just the \$3 million dollars but other conditions related to the development of the 60 feet.
- Gary Stith responded that once the PLD gets rid of an asset it is gone and frankly it will be impossible for the PLD to buy new land. Another problem is that right now the PLD is not in a financial situation to build more parking because they don't have the financial

capacity at this point. At this time they are looking at any development that comes along to try and work out a deal so the development meets some or all of their parking requirements.

- Jon Lourie asked if Gary Stith was saying that the 60 feet would never be built on by the PLD.
- Gary Stith responded that is not what I was saying. The PLD may want to keep this because they may want to build on it later even though right now financially they can not.
- Jon Lourie stated when I attended the charrette and looked at this sliver of land that is going to be left there which will be a very unattractive sliver of land, not activated with street parking it seems it would have made more sense to take the hi-rise development and move it up and adjacent to the parking garage. We have two government agencies and it seems they are not talking to each other and it also seems like the PLD is putting condition on it.
- Dan Hertz responded if they brought the entire 60 foot strip we could only build up to about 30 feet because you can not build up against an existing building so there is a setback. We could not build up against an existing building because of fire code issues and practical issues.

Election Officers

Motion: (Middleton, Schwiesow) The Silver Spring Urban District Advisory Committee unanimously elected Jon Lourie as the new Chair.

Barbara Henry asked if anyone would like to submit their name as a candidate for Vice Chair. Please let Jon Lourie and/or Gary Stith know.

Gary Stith thanked. Nancy, Carmen and Bob for being on the Interview Committee for potential new member. The memorandum of recommendations has gone to the County Executive and they want to get them to Council and the get confirmed before the August recess.

The Committee thanked Barbara Henry for her leadership as Chair of the Committee

Department of Public Works and Transportation (DPWT) Reorganization Update

Rick Siebert announced on July 1 Department of Public Works and Transportation splits into Department of Transportation and Department of General Services. Steve Nash in the reorganization of the new DOT he will be Chief of Division of Parking and I wanted to introduce him to the Committee.

- When they built the Wayne Avenue and Town Square Garages the concept was the only people parking in them would be the people actually shopping and going to the retail. We actually have a lot of all day parker's parking in those garages. The suggestion from our own internal parking planning staff was we have all day people who are coming in early in the morning filling up all the spaces on the bottom floor and people coming to shop end up going up three or four floors to park or leave. We normally restrict parking on the lower levels to short-term to push the all day people up to the top so I just wanted you to hear the idea and whether or not you might be supportive and that we may mark the entire bottom 3 hour parking or something.

- Gary Stith stated that those garages were design so nobody would ever get a ticket because giving tickets is bad for people coming for retail visits and if there is a 3 hour limit you have to enforce and the only way to do that is to issue tickets.

Barbara Henry asked that the Committee table the idea for now.

5:30 p.m. Meeting adjourned

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